

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

_____)	
JOHN ASHLEY HALE,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 3:15-cv-170-CWR-FKB
)	
DR. ROLAND ABANGAN, et al.,)	
)	
Defendants.)	
_____)	

**THE TRINITY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
BASED ON FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES**

Defendants Trinity Services Group, Inc., K. Chaney, C. Rutledge, O. Glass and P. Taylor (collectively, the "Trinity Defendants") respectfully submit this Motion for Summary Judgment and request that the Court dismiss the claims against them. In support of this motion, the Trinity Defendants state that they are entitled to judgment as a matter of law because the plaintiff, an inmate confined at the East Mississippi Correctional Facility, failed to properly exhaust the administrative remedies available to him prior to initiating this action as required by 42 U.S.C. 1997e(a). In further support of this motion, the Trinity Defendants rely upon the transcript of the Omnibus Hearing held on August 31, 2016, the Affidavit of Mary Dempsey, which are attached hereto as Exhibits A and B respectively, as well as the supporting memorandum contemporaneously filed herewith.

CONCLUSION

WHEREFORE, the Trinity Defendants respectfully request that the Court grant this motion and enter summary judgment in their favor based on the prisoner plaintiff's failure to properly exhaust the administrative remedies available to him prior to initiating this action.

Respectfully submitted,

O. GLASS, P. TAYLOR, K. CHANEY, C.
RUTLEDGE and TRINITY SERVICES GROUP,
INC.,

By their attorneys,

/s/ Gregory D. Cote

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October 14, 2016

CERTIFICATE OF SERVICE

I, Gregory D. Cote, hereby certify that on this 14th day of October, 2016, a true and accurate copy of the foregoing The Trinity Defendants' Motion for Summary Judgment Based on Failure to Exhaust Administrative Remedies was electronically transmitted to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel who have entered an appearance to date.

I also certify that a true and accurate copy of the foregoing The Trinity Defendants' Motion for Summary Judgment Based on Failure to Exhaust Administrative Remedies was served via certified, United States mail, return receipt requested, postage prepaid, upon the following:

Inmate John Ashley Hale (#24720)
c/o East Mississippi Correctional Facility
10641 Highway 80 West
Meridian, MS 39307

/s/ Gregory D. Cote